

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	Cr. No. 1:20CR106MSM-LDA
vs.	:	
	:	In violation of
JOSE MONTES, aka JOSE RIVERA,	:	18 U.S.C. § 2314,
aka "Tuto,"	:	18 U.S.C. § 371, and
LUIS M. MORALES,	:	18 U.S.C. § 2315
DANIEL J. GUERRIERO,	:	
JARED J. SANTIAGO,	:	
EFRAIN A. LOPEZ,	:	
IRVIN W. MCLAUGHLIN,	:	
RONALD S. MOSCA,	:	
KRYSTAL K. DISANO,	:	
SORINA M. CRUZ,	:	
	:	
Defendants.	:	

**INDICTMENT**

The Grand Jury charges that:

**Count I**

**(18 U.S.C. § 2314, Interstate Transportation of Stolen Property)**

1) On or about October 22, 2019, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," the defendant herein, did transport and transfer in interstate commerce, from Rehoboth, Massachusetts to Rhode Island, and cause to be transported and transferred, goods with a value of \$5000 or more to wit: a 2019 Yamaha FX Cruiser personal watercraft HIN YAMA2500D919, 2018 Triton trailer VIN 4TCS1120JH246622, a 2019 Yamaha FX Cruiser personal watercraft HIN YAMA2249D919, a 2018 Sea Doo personal watercraft HIN YDV14322C818; 2018 Triton trailer VIN 4TCSM1125JHL42522, and a 2018 Sea Doo personal watercraft HIN

YDV21609E818, knowing the same to have been stolen, converted, and taken by fraud from Motor Sports Nation.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count II**  
**(18 U.S.C. § 2315, Receipt of Stolen Goods )**

2) On or about the November 9, 2019, in the District of Rhode Island, the defendant, SORINA M. CRUZ, did knowingly receive, possess, conceal, store, sell and dispose of goods, wares and merchandise, of the value of \$5,000 or more to wit: a 2018 Sea Doo personal watercraft, HIN YDV14322C818, a 2018 Sea Doo personal watercraft HIN YDV21609E818, and a Triton trailer VIN 4TCSM1125JHL42522, all of which had crossed a state boundary after being stolen, knowing the same to have been stolen or obtained through fraud.

All in violation of 18 U.S.C. §§ 2315 and 2.

**Count III**  
**(18 U.S.C. § 371, Conspiracy to Commit Interstate Transportation of Stolen Property)**

3) Between on or about November 1, 2019 and on or about January 9, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," JARED J. SANTIAGO, RONALD S. MOSCA and KRYSTAL K. DISANO, the defendants herein, and others known and unknown to the grand jury, did knowingly and intentionally conspire and agree with each other to commit an offense against the United States, namely, to transport, transmit, and transfer in interstate and foreign

commerce goods, wares, and merchandise with a value of \$5000 or more, knowing the same to have been stolen, in violation of 18 U.S.C. § 2314.

The Object of the Conspiracy

4) It was the object of the conspiracy for JOSE MONTES aka JOSE RIVERA, aka "Tuto," and JARED J. SANTIAGO, along with others, to steal certain property having a value of more than \$5,000 from locations in Rhode Island and elsewhere and then transport or cause to be transported that property from Rhode Island to Florida for purposes of sale for cash.

The Manner and Means of the Conspiracy

5) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," scouted out business locations offering boats and personal watercraft for sale or storage, whose security systems could be easily defeated and merchandise stolen.

6) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," on or about November 18, 2019, traveled to South Kingstown, Rhode Island with another, under cover of darkness and thereafter forcibly entered the premises of Silver Spring Marina and stole a 2012, 22 - foot Sea Ray 205SP sport boat HIN SERV2886C212 with engine and a 2012 trailer VIN IMDJ3AT25CA498177.

7) It was part of the conspiracy that JOSE MONTES aka JOSE RIVERA aka "Tuto," along with RONALD S. MOSCA and KRYSTAL K. DISANO arranged for individuals whose identity is known to the grand jury, to transport the 2012, 22 - foot

Sea Ray 205SP sport boat, HIN SERV2886C212, with engine and trailer VIN IMDJ3AT25CA498177 from Rhode Island to Florida.

8) It was part of the conspiracy that JOSE MONTES aka JOSE RIVERA aka "Tuto" along with JARED J. SANTIAGO and others whose identities are known and unknown to the grand jury, on or about December 28, 2019, traveled to Tiverton, Rhode Island and entered onto the premises of Don's Marine and stole a 2019, 24-foot Robalo sport boat HIN ROBD159A919, with Yamaha engine and trailer VIN 5A4FH5X25H2010114.

9) It was part of the conspiracy that JOSE MONTES aka JOSE RIVERA aka "Tuto," and JARED SANTIAGO along with RONALD S. MOSCA and KRYSTAL K. DISANO and others, arranged to transport the 2019, 24-foot Robalo sport boat HIN ROBD159A919 with Yamaha engine and trailer VIN 5A4FH5X25H2010114 from Rhode Island to Florida.

Overt Acts in Furtherance of the Conspiracy

10) In furtherance of the conspiracy and to effect its unlawful object, the Defendants, JOSE MONTES, aka JOSE RIVERA aka "Tuto," along with JARED J. SANTIAGO, RONALD S. MOSCA and KRYSTAL K. DISANO and others known and unknown committed and caused to be committed in the District of Rhode Island and elsewhere the following overt acts, among others:

a. Paragraphs 5-9 are hereby re-alleged and hereby incorporated as if fully set forth.

b. On or about December 28, 2019, JOSE MONTES, aka JOSE RIVERA



aka "Tuto," rented a Dodge Ram pickup truck capable of towing a trailer from Enterprise Rental in North Kingstown, Rhode Island.

c. On or about December 28, 2019, JOSE MONTES, aka JOSE RIVERA aka "Tuto, travelled to Tiverton, Rhode Island whereupon he, JARED J. SANTIAGO and others forcibly entered the premises of Don's Marine and removed two Robalo sport boats HINs ROBD159A919 and R0BB0103F920 and two trailers VINs 5A4FH5X25H2010114 and 5A4AH4W26K2010927.

d. On or about December 30, 2019, JOSE MONTES, aka JOSE RIVERA, aka "Tuto" along with JARED J. SANTIAGO and others known and unknown to the grand jury did transport a stolen Robalo sport boat and trailer VIN 5A4FH5X25H2010114 from Rhode Island to Sarasota, Florida.

All in violation of 18 U.S.C. § 371.

**Count IV**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

11) On or about November 18, 2019, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," RONALD S. MOSCA and KRYSTAL K. DISANO, the defendants herein, did transport and transfer in interstate commerce, from the State of Rhode Island to the State of Florida and cause to be transported and transferred, goods with a value of \$5000 or more to wit: a 2012 22- foot Sea Ray 205SP sport boat HIN SERV2886C212, with engine and trailer VIN

IMDJ3AT25CA498177, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count V**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

12) On or about December 30, 2019, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," JARED J. SANTIAGO, RONALD S. MOSCA, and KRYSTAL K. DISANO, the defendants herein, did transport and transfer in interstate commerce, from the State of Rhode Island to the State of Florida and cause to be transported and transferred, goods with a value of \$5000 or more to wit: a 2019 Robalo 24 - foot sport boat HIN ROBD159A919 with Yamaha engine and trailer VIN 5A4FH5X25H2010114, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count VI**  
**(18 U.S.C. § 371, Conspiracy to Commit Interstate Transportation of Stolen Property)**

13) Between on or about April 1, 2020 and on or about April 16, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," and others unknown to the grand jury, did knowingly and intentionally conspire and agree with each other to commit an offense against the United States, namely, to

transport, transmit, and transfer in interstate and foreign commerce goods, wares, and merchandise the value of \$5000 or more, knowing the same to have been stolen, in violation of 18 U.S.C. § 2314.

The Object of the Conspiracy

14) It was the object of the conspiracy for JOSE MONTES aka JOSE RIVERA, aka "Tuto," to enter onto the premises of Bobcat of Worcester, located in Auburn, Massachusetts and steal Bobcat brand skid-steer excavators and to deliver the stolen machines to DANIEL J. GUERRIERO, for sale to IRVIN W. MCLAUGHLIN and others known to the grand jury, for cash.

The Manner and Means of the Conspiracy

15) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," scouted out business locations offering skid steer mini-excavators for sale.

16) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," traveled to the Bobcat of Worcester dealership located in Auburn, Massachusetts under cover of darkness with a trailer, and thereafter forcibly entered the premises and stole the machines.

17) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," transported the stolen equipment from the State of Massachusetts to the State of Rhode Island to be delivered to defendant DANIEL J. GUERRIERO and others and stored in North Scituate and Glocester, Rhode Island.

Overt Acts in Furtherance of the Conspiracy

18) In furtherance of the conspiracy and to effect its unlawful object, the Defendants, JOSE MONTES, aka JOSE RIVERA aka "Tuto," along with DANIEL J. GUERRIERO and others known and unknown committed and caused to be committed in the District of Rhode Island and elsewhere the following overt acts, among others:

a. Paragraphs 15-17 are hereby re-alleged and hereby incorporated as if fully set forth.

b. On or about April 10, 2020, JOSE MONTES, aka JOSE RIVERA aka "Tuto," rented a Ford F250 pickup truck capable of towing a trailer from Enterprise Rental in Johnston, Rhode Island.

c. On or about April 10, 2020, JOSE MONTES, aka JOSE RIVERA aka "Tuto," travelled from Rhode Island to Bobcat of Worcester in Auburn, Massachusetts in the rented Ford F250 pickup truck whereupon he cut the padlock off the gate to the business and removed a Bobcat Model S570 Serial number ALM428732 from the business and transported it to North Scituate, Rhode Island.

d. On or about April 10, 2020, JOSE MONTES, aka JOSE RIVERA aka "Tuto," travelled from Rhode Island to Bobcat of Worcester in Auburn, Massachusetts in the rented Ford F250 pickup truck whereupon he removed a Bobcat Model T76 Serial number B4CE11869 from the business and transported it to North Scituate, Rhode Island.

e. On or about April 11, 2020, JOSE MONTES, aka JOSE RIVERA aka "Tuto," travelled from Rhode Island to Bobcat of Worcester in Auburn, Massachusetts in the rented Ford F250 pickup truck whereupon he drove onto the business premises



and removed a Bobcat Model S570 Serial number ALM428978 and transported it to Glocester, Rhode Island.

f. On or about April 11, 2020, DANIEL J. GUERRIERO communicated with JOSE MONTES, aka JOSE RIVERA aka "Tuto" and while driving his silver Jeep Cherokee, DANIEL J. GUERRIERO led JOSE RIVERA aka "Tuto," to a location in Glocester, Rhode Island to store the stolen machine.

g. On or about April 12, 2020, IRVIN W. MCLAUGHLIN took possession of a Bobcat Model S570 Serial number ALM428732 in North Scituate, Rhode Island and caused the stolen property to be transported to Warwick and Johnston, Rhode Island.

All in violation of 18 U.S.C. § 371.

**Count VII**  
**(18 U.S.C. § 2314, Interstate Transportation of Stolen Property)**

19) Between April 10 and April 12, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," DANIEL J. GUERRIERO, the defendants herein, along with others known and unknown, did transport and transfer in interstate commerce, from the State of Massachusetts to the State of Rhode Island and cause to be transported and transferred, goods with a value of \$5000 or more to wit: a Bobcat brand skid-steer Model S570 Serial number ALM428732, a Bobcat brand skid-steer Model T76 Serial number B4CE11869 and a Bobcat brand skid-steer Model S570 Serial number ALM428978 knowing the same to have been stolen converted and taken by fraud

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count VIII**  
**(18 U.S.C. § 2315 Receipt of Stolen Goods)**

20) On or about the April 11, 2020, in the District of Rhode Island, the defendant, IRVIN W. MCLAUGHLIN, did knowingly receive, possess, conceal, store, sell and dispose of goods, wares and merchandise, of the value of \$5,000 or more to wit: a Bobcat Model S570 Serial number ALM428732, which had crossed a state boundary after being stolen, knowing the same to have been stolen or obtained through fraud.

All in violation of 18 U.S.C. §§ 2315 and 2.

**Count IX**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

21) On or about April 12, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," along with others unknown to the grand jury, the defendants herein, did transport and transfer in interstate commerce, from the State of Connecticut to the State of Rhode Island and cause to be transported and transferred, goods with a value of \$5,000 or more to wit: a Sea Doo brand personal watercraft Model RXT-X300 HIN YDV46910B020 along with a Triton Model LTWCI trailer VIN 4TCSM1113LHL73634, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count X**

**(18 U.S.C. § 371 Conspiracy to Commit Interstate Transportation of Stolen Property)**

The Grand Jury charges that:

22) Between on or about July 1, 2020 and on or about July 30, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto, along with LUIS M. MORALES, EFRAIN A. LOPEZ and others known and unknown to the grand jury did knowingly and intentionally conspire and agree with each other to commit an offense against the United States, namely, to transport, transmit, and transfer in interstate and foreign commerce goods, wares, and merchandise the value of \$5,000 or more, knowing the same to have been stolen, in violation of 18 U.S.C. § 2314.

**The Object of the Conspiracy**

23) It was the object of the conspiracy for JOSE MONTES aka JOSE RIVERA, aka "Tuto," along with LUIS M. MORALES to enter onto the premises of Scranton Power Sports of Vernon, Connecticut, Wicked Power Sports of Stafford, Connecticut, Bob's Ski Doo of Easton, Massachusetts and DaSilva Motor Sports of Hampstead, New Hampshire and steal personal watercraft, trailers and recreational off-road vehicles for sale to others, for cash.

**The Manner and Means of the Conspiracy**

24) It was part of the conspiracy that the defendants, JOSE MONTES, aka JOSE RIVERA aka "Tuto," along with LUIS M. MORALES and others, identified businesses offering personal watercraft and off-road vehicles for sale.

25) It was part of the conspiracy that the defendants, JOSE MONTES, aka JOSE RIVERA aka "Tuto," along with LUIS M. MORALES and others, travelled to Connecticut, Massachusetts and New Hampshire to various businesses they had identified as locations offering for sale the items they sought to steal.

26) It was part of the conspiracy that the defendants JOSE MONTES, aka JOSE RIVERA, aka "Tuto," along with LUIS M. MORALES, EFRAIN A. LOPEZ and others, known and unknown to the grand jury, caused a Ford van to be stolen in Cranston, Rhode Island to be used to tow stolen personal watercraft from Easton, Massachusetts to Providence, Rhode Island.

27) It was part of the conspiracy that the defendants, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," along with LUIS M. MORALES travelled to Vernon, Connecticut and unlawfully entered onto the premises of Scranton Power Sports and loaded and concealed a Polaris Slingshot motor vehicle and a Polaris Razor UTC off-road vehicle within an enclosed trailer belonging to the business with the intent to steal those vehicles.

28) It was part of the conspiracy that the defendants, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," along with LUIS M. MORALES travelled to Stafford, Connecticut and unlawfully entered onto the premises of Wicked Power Sports and stole a 2020 Yamaha VX 1050A personal watercraft HIN US-YAMA1779F020, a 2021 Karavan trailer VIN 5KTWS1311MF512278, a 2019 Alcom MODP 6X1 trailer VIN 5WFBU2024LW095344, and a 2019 Can-Am Maverick Sport off-road vehicle VIN



3JB1WAX47KK001033 and thereafter travelled with the stolen property from Connecticut into Rhode Island.

29) It was part of the conspiracy that the defendants, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," along with, EFRAIN A. LOPEZ, LUIS M. MORALES and others, travelled to Easton, Massachusetts and unlawfully entered onto the premises of Bob's Ski Doo and stole a 2019 Sea Doo personal watercraft VIN YDV27711E919, a 2019 Triton Trailer VIN 4TCSM1117KHL70024, a 2013 Sea Doo RXTX personal watercraft HIN YDV03914D313, a Trailer VIN 5KTWS1313GF528602, a 2020 Sea Doo personal watercraft HIN YDV21089J920, and a 2018 Triton Trailer VIN 4TCSM1110JHL61597 and thereafter transported the stolen property from Massachusetts into Rhode Island.

30) It was part of the conspiracy that the defendant, JOSE MONTES, aka JOSE RIVERA, aka "Tuto," along with EFRAIN A. PEREZ and others known and unknown to the grand jury, travelled to Hampstead, New Hampshire and unlawfully entered onto the premises of DaSilva Motor Sports, and stole a 2019 Ryker brand off-road vehicle VIN 3JB2FEG40KJ001232, a 2020 Can Am Maverick Trail off-road vehicle VIN 3JB1GAP41LK000281, a 2020 Can Am Maverick Sport off-road vehicle VIN 3JB1TAX45LK000232, a 2020 Can Am Maverick Sport off-road vehicle VIN 3JB1TAX4XLK001019, a 2020 Can Am DS 90 VIN RLVDGF115KVN01279, a 2020 Sea Doo personal watercraft HIN YDV34104L920, a 2020 Sea Doo personal watercraft HIN YDV41169A020, a 2018 Sea Doo RXT personal watercraft HIN YDV22246E818, a 2018 Triton Trailer VIN 4TCSM1121JH245771, and a 2019 Karavan jet ski trailer VIN

5KTWS1519KF554482, and thereafter transported the stolen property from New Hampshire into Rhode Island.

Overt Acts in Furtherance of the Conspiracy

31) In furtherance of the conspiracy and to effect its unlawful object, the Defendants, JOSE MONTES, aka JOSE RIVERA aka "Tuto," along with LUIS M. MORALES, EFRAIN A. LOPEZ and others known and unknown to the grand jury committed and caused to be committed in the District of Rhode Island and elsewhere the following overt acts, among others:

a) Paragraphs 24-30 are hereby re-alleged and hereby incorporated as if fully set forth.

All in violation of 18 U.S.C. § 371.

**Count XI**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

32) On or about July 17, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," along with LUIS M. MORALES, the defendants herein, did transport and transfer in interstate commerce, from the State of Connecticut to the State of Rhode Island and cause to be transported and transferred, goods with a value of \$5,000 or more to wit: 2019 Can-Am Maverick Sport XMR 1000R side by side all-terrain vehicle VIN 3JB1WAX47KK001033, 2020 Yamaha VX1050A jet ski CT 6875BM HIN US-YAMA1779F020, 2019 ALCOM 20 foot trailer, color silver VIN

5WFBU2024LW095344, and a 2021 Karavan Trailer VIN 5KTWS1311MF512278

knowing the same to have been stolen converted and taken by fraud.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count XII**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

33) On or about July 20, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," along with LUIS M. MORALES, and EFRAIN A. LOPEZ, the defendants herein, did transport and transfer in interstate commerce, from the State of Massachusetts to the State of Rhode Island and cause to be transported and transferred goods with a value of \$5,000 or more to wit: 2019 Sea Doo personal watercraft HIN YDV27711E919, a 2019 Triton trailer VIN 4TCSM1117KHL70024, a 2020 Sea Doo personal watercraft HIN YDV21089J920, a 2018 Triton trailer VIN 4TCSM1110JHL61597, a 2013 Sea Doo RXTX personal watercraft HIN YDV03914D313, and a Trailer VIN 5KTWS1313GF528602, knowing the same to have been stolen, converted, and taken by fraud.

All in violation of 18 U.S.C. §§ 2314 and 2.

**Count XIII**  
**(18 U.S.C. § 2314 Interstate Transportation of Stolen Property)**

34) On or about July 29, 2020, in the District of Rhode Island and elsewhere, JOSE MONTES aka JOSE RIVERA aka "Tuto," along with EFRIN A. LOPEZ and others known and unknown to the grand jury, did transport and transfer in interstate

commerce, from the State of New Hampshire to the State of Rhode Island and cause to be transported and transferred goods with a value of \$5,000 or more to wit: a 2020 Sea Doo GTX LTD 300 personal watercraft HIN YDV34104L920, a 2020 Sea Doo GTX LTD 300 personal watercraft HIN YDV41169A020, a 2018 Sea Doo RXT-X 300 personal watercraft HIN YDV22246E818, a 2018 Triton trailer VIN 4TCM1121JH245771, a 2019 Can-Am Ryker 3 wheel motorcycle VIN 3JB2FEG40KJ001232, a 2020 Can-Am Maverick Trail vehicle VIN 3JB1GAP41LK000281, and a 2020 Ca-Am Maverick Sport vehicle VIN 3JB1TAX45LK000232, 2020 Ca-Am Maverick Sport vehicle VIN 3JB1TAX4XLK001019, a 2020 Can Am DS 90 VIN RLVDGF115KVN01279, and 2019 Karavan Jet Ski Trailer VIN 5KTWS1519KF554482, knowing the same to have been stolen, converted, and taken by fraud.


All in violation of 18 U.S.C. §§ 2314 and 2.

AARON L. WEISMAN  
United States Attorney

A TRUE BILL:

  
WILLIAM J. FERLAND  
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LY T. CHIN  
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Grand Jury Foreperson